

**SUBCHAPTER L: FINANCIAL ASSURANCE FOR USED OIL RECYCLING**  
**§§37.2001, 37.2003, 37.2011, 37.2013, 37.2015, 37.2021**  
**Effective February 12, 2003**

**§37.2001. Applicability.**

This subchapter applies to used oil transporters required to provide evidence of financial assurance under §324.22 of this title (relating to Soil Remediation for Used Oil Handlers). This subchapter also applies to an owner or operator of a used oil transfer, processing, rerefining, and off-specification used oil burning facilities, hereinafter referred to as "used oil handlers," which are required to provide evidence of financial assurance under §324.22 of this title. This subchapter does not apply to state or federal governmental entities whose debts and liabilities are the debts and liabilities of a state or the United States. This subchapter establishes requirements and mechanisms for demonstrating financial assurance for soil remediation and automobile insurance.

Adopted January 23, 2003

Effective February 12, 2003

**§37.2003. Definitions.**

Definitions for terms that appear throughout this subchapter may be found in Subchapter A of this chapter (relating to General Financial Assurance Requirements), as well as Chapter 324 of this title (relating to Used Oil), except the term "closure" for purposes of this subchapter includes the term "soil remediation" as used in Chapter 324 of this title.

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**§37.2011. Financial Assurance Requirements for Used Oil Handlers.**

In addition to the requirements of this subchapter, used oil handlers who must demonstrate financial assurance for soil remediation must do so in an amount as specified in §324.22(c) or (d) of this title (relating to Financial Responsibility Technical Requirements) and must comply with Subchapters A - D of this chapter (relating to General Financial Assurance Requirements; Financial Assurance Requirements for Closure, Post Closure, and Corrective Action; Financial Assurance Mechanisms for Closure, Post Closure, and Corrective Action; and Wording of the Mechanisms for Closure, Post Closure, and Corrective Action).

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**§37.2013. Financial Assurance Mechanisms for Used Oil Handlers.**

A used oil handler subject to this subchapter may use any of the financial assurance mechanisms as specified in Subchapter C of this chapter (relating to Financial Assurance Mechanisms

for Closure, Post Closure, and Corrective Action) to demonstrate financial assurance for soil remediation except a pay-in trust fund may not be used.

Adopted February 24, 2000

Effective March 21, 2000

**§37.2015. Submission of Documents.**

An owner or operator required to provide financial assurance must submit an originally signed financial assurance mechanism prior to issuance of registration. The signed financial assurance mechanism must be in effect at the time it is submitted.

Adopted February 24, 2000

Effective March 21, 2000

**§37.2021. Financial Assurance Requirements for Transporters of Used Oil.**

A used oil transporter must show proof of insurance to the commission in the forms and levels as prescribed by the Texas Department of Transportation (Texas Civil Statutes, Articles 6675c, 6675c-1, 911m, and 6687-9a) or the U.S. Department of Transportation (49 USC §11506). The document issued by the Texas Department of Transportation or the U.S. Department of Transportation which shows the used oil transporter is currently satisfying department requirements for transporting used oil will be an acceptable form of demonstrating proof of insurance and should be submitted to the commission. If a used oil transporter is not required to be registered as a motor carrier with either of these agencies, then proof of insurance in the form of an original signed certificate of insurance and in levels sufficient to pay for bodily injury and property damage liability caused by the used oil must be submitted to the commission directly by an insurance agent. In all cases, the name of the used oil transporter must be identical to the party named on the applicable insurance form.

Adopted February 21, 2000

Effective March 21, 2000